

JONES DISCREDITED BY TEST.

CHLOROFORM-SOAKED TOWEL WOULD NOT BURN AS HE SAID.

Instead of Blazing Up, as Mr. Rice's Former Valet Had Testified It Did, the Fabric Smoldered for More Than an Hour Before It Was Completely Destroyed.

The lawyers for the prosecution and the defense in the Patrick murder trial agreed yesterday to test by experiment the truth of a part of the confession of Jones, the valet, who told the jury the other day that after chloroforming William M. Rice at the request of Patrick, he put the towel and the sponge which he had used in the operation in the range, where there was no fire, touched a match to them and they "burned right up."

"Did they burn quickly?" asked Mr. Moore, for the defense.

"Yes," said Jones; "they burned right up quickly."

In answer to a question on this point at the preliminary hearing Jones said that the towel and sponge burned as if saturated with oil. This is one of the many points in the valet's confession which Patrick's lawyers are trying to expose as absurd and impossible and not damaging to their theory that Mr. Rice died of natural causes.

"Whoever fixed up the towel-burning part of Jones' story," said Mr. House, in his opening for the defense the other day, "was a very poor chemist. He did not know that chloroform is not a combustible. He got it confused with ether."

The result of yesterday's experiments was rather in favor of Patrick. The experiments were performed in an ante-room of Recorder Goff's court, during the recesses, by Dr. John H. Girdner and Mr. Moore, representing Patrick, and the Assistant District Attorney and Dr. Lewis Schultz, an expert for the prosecution.

There were two experiments. In each case a towel was rolled into a cone, the sponge placed in the small end, two ounces of chloroform was poured upon the sponge and then after thirty minutes the match was applied. The time allowance and all the preliminary details were in strict accord with Jones' description of what he did after the murder to conceal the evidence. After recess Dr. Girdner went back to the witness stand and gave the jury the following account of the experiments.

In the first experiment we made a cone of the towel by rolling it over the hand and pinning it at the top. A sponge was placed in the small end and two ounces of chloroform was poured on the towel. The towel and sponge were then left with the large end of the cone on a flat table, for thirty minutes in a closed room. The window was then opened. The cone was placed on a wire stand so arranged that there was circulation of air beneath it and a match was applied to the edge of the towel in two places. It blazed slowly for fifteen minutes and then the flame died out, when about one-third of the cone of the towel had been charred. The towel then smoldered for fifty-one minutes. Sixty minutes elapsed between the time of applying the match and when the towel was burned up.

The second experiment was the same as the first, except that the blaze lasted only six and one-quarter minutes and the towel smoldered fifty-four minutes. The charred fragments of the two towels and whole sample towels of the same size and quality were then shown to the jury.

The Assistant District Attorney then produced a bunch of human hair, with the request that it be saturated with chloroform and left for an hour, just to show the jury that at the end of that time there would be no odor of the chloroform left. The hair, said the prosecuting attorney, would answer, for the experiment, the same purpose as Mr. Rice's whiskers. Mr. Moore objected to the hair test unless it could be made with the hair in a bed with bed clothing. Mr. Rice was in bed when he died, and, according to Patrick's lawyers, the bedding would help retain the odor of the chloroform.

Recorder Goff said that he would not have the case turned into a travesty and declined to permit the test.

YESTERDAY'S MUSIC.

Henry K. Hadley's Recital—Eleanor Cleaver Heard.

With melting spring as a background young Mr. Hadley—who will remain young until he is 90—gave a recital in Mendelssohn Hall yesterday afternoon. It was too warm a day for such a long programme even if this composer had been some other composer. Twenty-four songs and a sonata for violin and piano is a severe test for Beethoven; Mr. Hadley could not endure it. If he had cultivated the tact of omission before preparing a programme he would have been in two, and, besides, two movements of his sonata. However, youth is brave, youth its own excuse, and it would be heartless to more than whisper this in the talented concert giver's ear.

Mrs. Morris Black, always an interesting, if sometimes unequal, singer, gave three groups of lyrics, settings to Heine—the Hadley bravura was marked—and Frederick Manley, all of them melodious, they flowed with that unforced quality so characteristic of the composer. He writes too easily at times. And some of the songs lose by his habit of doubling in his track, repeating the verses. This seems as if the poem had been fitted to the music—the thorough-composed song is the more inevitable form, especially for Heine's conclusion. By there was pleasing fancy, grace, delicacy, exhibited notwithstanding the American composer challenged Schubert in "Der Asra" and "Die Asra," and "Die Asra" sang with some of her usual intensity—for she was indisposed—and all of her strange harm. Her sympathetic personality counts heavily in her work.

Mr. Mackenzie Gordon, the tenor, also contributed a group. Among the poets set were the names of Elizabeth Browning, Robert Browning, Tennyson, W. E. Henley, Arlo Bates and Theodore Steinway. The latter, the talented son of the late William Steinway, is very young and, of course, sings in the key minor. "Ganz zu schweigen mir das Leben," he writes, and Mr. Hadley is correspondingly pessimistic in his melody. But when they encounter real suffering, perhaps they may tune their pipes to brighter themes. Fritz Kreisler played the violin part of the sonata, the composer being at the piano. It is a work of amiable merit, the second movement showing the most characteristic profile. It went spiritedly. There was much applause from a distinctively musical audience.

MME. CLEAVER SINGS.

Eleanor Cleaver, an American contralto, made her first appearance here this season at Mendelssohn Hall. The programme was of reasonable length which is a virtue in itself these days of endless song recitals; and in it she was assisted by Ingo Simon, an English baritone.

Mme. Cleaver has a large, healthy voice, resonant especially in the lower register, and her diction is practically perfect. Her list of songs was an ambitious one, ranging from Bach to Massenet including a group of Brahms's songs which put the singer to no mean test. In these she was not so successful. Her last song, "Ma vie a son secret," which was to be repeated. After her last song the singer was recalled and sang "The Rose" symmetrically.

It would scarcely be just to take Mr. Ingo Simon's singing seriously; it is, to say the least, amateurish. Mr. Bruno Huhn played the accompaniment. The hall was crowded with an appreciative audience.

WOODEN HORSE IN COURT.

To Illustrate How Humble Lost a Leg on Coney Island Steeplechase.

Supreme Court Justice Betts in Brooklyn heard testimony yesterday in the suit of George H. Hummel against The Brighton Amusement Company to recover \$30,000 for the loss of his leg. He testified that on Aug. 11, 1899 he was riding a wooden horse on the Steeplechase at Coney Island when his left foot got tangled in the machinery and was so badly crushed that amputation was necessary. One of the wooden horses used in the Steeplechase was produced in court to show the jury how the accident happened. The case is still on.

Morgan Chamber Music Club's Concert.

The Morgan Chamber Music Club gave the fourth of its series of subscription concerts yesterday afternoon at the residence of Mrs. Jacob W. Miller, 113 East Thirtieth street. The Morgan quartet was assisted by Elliott Schenck, Herman H. Wetzel and Fritz Kreisler. The two vocal recitals of this series will both be held at the residence of Mrs. Stanford White, 121 East Twenty-first street.

Bishop McVicker Meets Old Friends.

Bishop William N. McVicker of Rhode Island preached at mid-Lenten service in Holy Trinity Protestant Episcopal Church, 1224 street and Lenox avenue, last night. Bishop McVicker was one of the founders and first rector of the church when it was established in 1886 at 1224 street and Fifth avenue. He was greeted by a large congregation.

Farmer Run Over and Killed.

AMSTERDAM, N. Y., March 12.—William Deagall, a fruit grower of Oplains, was killed late yesterday while walking on the Delaware and Hudson track, on his way home from the Post Office. He was 26 years old and had one of the best farms in the State. He was struck by a freight train and was run down by a light engine.

Lawyer J. W. Everhart Hit by a Car.

John F. Everhart, a lawyer with offices at 42 Nassau street and living at the Park Avenue Hotel, in crossing Sixth avenue near Forty-sixth street yesterday afternoon was struck by a northbound car. His left arm was broken and he sustained internal injuries.

NO MOVING PICTURE MONOPOLY.

COURT UPHOLDS THE BIOGRAPH PATENTS AGAINST EDISON.

Reverses a Decision Declaring Them Infringements on His Kinetoscope and Says He Is Not the Pioneer Inventor—Result Will Be to Cheapen Films.

The United States Circuit Court of Appeals handed down a decision on Monday, Judge Wallace writing the opinion and his associates concurring, reversing a decision in favor of Thomas A. Edison against the American Mutoscope and Biograph Company.

About three years ago Edison sued the company, alleging that its machines, the biograph and mutoscope were infringing on the patents for his machine, the kinetoscope, taken out about 1890. The Circuit Court reverses the decision, sustains every contention of the defendants and instructs the lower court to dismiss the suit.

The kinetoscope and the biograph are machines for exhibiting moving pictures. Mr. Edison contended, among other things, that he was the inventor of the kinetoscope. An apparatus for effecting by photography a representation suitable for reproduction of a scene including a moving object or objects, comprising means for intermittently projecting at such rapid rate as to result in persistence of vision images of moving objects, as observed from a fixed and single point of view, a sensitized plate or film, and means for so moving the film as to cause the successive images to be received thereon separately and in a single line successively.

An unbroken transparent or translucent tape-like photographic film having thereon equivalent photographs of successive positions of an object in motion, all taken from the same point of view, such photographs being arranged in a continuous series, and means for so moving the film as to cause the successive images to be received thereon separately and in a single line successively.

The result of the decision will be that the American Biograph and Mutoscope Company will now actively push the sale of its films, in the sale of which Edison has had practically a monopoly. The list of films, containing photographs to be thrown on a screen, now cost from \$7.50 to \$10. The Biograph and Mutoscope company propose to sell that film now for \$3 or less.

BUY BEER OR GET OUT.

The Command That Led to a Fight in a Bowery Music Hall.

There was a row in the People's Music Hall at 104 Bowery last night and when it was over Samuel Zarowski of 50 Pike street was taken to St. Vincent's Hospital badly lamed. Zarowski went to the resort with several friends and sat at a table watching the performance.

His friends said that each man at the table had paid 15 cents to get in and that each had three untouched glasses of beer in front of him when a waiter came around and told them they'd have to buy more beer or get out. They said they would sit a while longer and consider the proposition, but the waiter wouldn't have that.

Then there was a fight that broke up a Russian cakewalk which an "international quartet" was doing and drove half the audience out.

The fight spread to the door, where a man in uniform, who said he was a special policeman, took a hand in it. Zarowski was thrown out on the street, where he was seized with convulsions.

Zarowski's friends made a complaint at the Mulberry street police station and it resulted in the arrest of Louis Rothenberg, the alleged special policeman, who was shown to have no right to the title, and of Louis Rothman, a waiter.

BRANN LETS POOL'S PRISONER GO.

Declines to Inflict a Penalty on an Old Woman Who Annoyed Mr. Pool.

Magistrate Pool, leaving the Criminal Courts Building yesterday afternoon after visiting Magistrate Brann in the Centre Street police court, was accosted by a ragged old woman who asked for alms. The woman danced and sang before him all the way to Elm street, where she asked him to put her hand on his shoulder and he became thoroughly angry.

Leading her back to the building, Magistrate Pool had her placed under arrest. The woman, who was said to be Annie Coleman, 60 years old, of 70 Cherry street. She was arraigned before Magistrate Brann.

"Do you charge her with being intoxicated, officer?" asked Magistrate Brann of the policeman who arraigned her.

"No, your Honor, Judge Pool does," said the policeman.

"Is Judge Pool here to make the charge?" asked the Magistrate.

"No, sir, he has gone home."

"Then I discharge this old woman; she is more crazy than drunk," said the Magistrate.

"VAMPIRE" SOON TO BE LET GO.

Slight Increase of Duties on Sir Philip Burne-Jones's Pictures.

The return of the duties and assessments on the fifteen or twenty paintings of Sir Philip Burne-Jones, has just been made by the Washington authorities to the Customs House here. The paintings include "The Vampire." It was said at the Customs House yesterday that there had never been any intention of seizing the paintings.

THE FRENCH WOMAN.

M. Le Roux Says Her Expensive Tastes Are a Potent Preventive of Marriages.

"The French Woman" was the topic chosen by M. Hugues Le Roux, the French critic, for his third lecture at Columbia University yesterday afternoon. His remarks soon centered on the marriage question. The speaker said:

The love of luxury and fine dressing among French women is one of the most potent causes in preventing marriages in France as the husband is often not financially able to gratify the desires of the wife. Marriages in France are of three sorts. In the first place the husband buys the wife a mansion with country. Then the husband and the wife marry for love alone and do not think of the financial aspect of the future, but most often there is love and in considering their worldly welfare both the bride and the groom contribute to a common fund for maintenance.

M. Le Roux said the Frenchman was remarkable for his conversational powers. He continued:

Other countries have their various athletic sports in which the Frenchman is expert. The Frenchman is conversational and in this he is truly expert. To such an extent is this true that he often speaks of many matters before women without giving offence. Some men there were who lack delicacy, but these are correctly judged to be of inferior culture.

To illustrate: take a party of men on a hunting trip. Hunting is a violent sport. After the game is killed and the party is full of excitement they return to the game. The Frenchman's love and the influence of potent beverages they return to tell of in nine cases out of ten these stories will resemble the tales of Guy de Maupassant. In the crowd there is almost always one coarse story and he will be almost equally certain to tell an immoral story. This man to the French mind lacks delicacy and lacks culture and lacks delicacy. He is too ignorant to understand that the pleasing part of the other stories is the skill of the telling and not an element of coarseness.

M. Le Roux pleased the audience with many happy anecdotes with which he illustrated and enlivened his address. The final lecture in the series will be held in the auditorium of the Horace Mann School on Saturday morning at 11 o'clock.

FOR MORE CITY BATHS.

Sixteen Which It Is Proposed to Establish in Crowded Parts of the City.

If the Association for Improving the Condition of the Poor and the Citizens' Union through the plan for establishing sixteen new municipal bathhouses which it presented to Borough President Cantor the other day, New York will have a system of public baths that will compare favorably in design at least with those now in use in Paris, Berlin and other European cities. The central ideas for these bathhouses are that they should be scattered through the city, instead of being concentrated only on the river front, and that they should be open all the year round.

The bathhouses now conducted by the city are all on the river front. The water used in that of the river is not so warm enough for bathing save in summer.

The society thinks that people who use the city baths need them as much in winter as in summer. The plan, submitted ultimately to put a city bathhouse in every densely populated district in the city.

In such districts land is hard to come by and with it the cost of the buildings. It is made that the largest possible bathing capacity may be had on a small site at the possible abandonment of architectural features. Two plans are submitted, one admitting of a site 25 by 100 feet for each house and the other of a site 30 by 100 feet.

The total cost of the sixteen bathhouses and the sites under the first plan is estimated at \$902,072 and under the second at \$1,782,000. The architects contemplate ordinary buildings, with either forty or fifty showers each, and several tubs in each.

The promise to agitate this question of city baths was a part of the Citizens' Union platform in the recent campaign and the Executive Committee of the union the other day jugged the memories of the issue of the city officials with a letter reciting that fact.

ROBS JOHN D. CRIMMINS.

Servant Steals Books and Autographs Worth \$2,000 After 23 Years' Service.

Edward Kearney, employed by John D. Crimmins, was arrested yesterday on the charge of stealing a number of valuable books, manuscripts and autograph letters which had been in his care as custodian of the library at Mr. Crimmins's home, 40 East Sixty-eighth street. The thefts occurred while Mr. Crimmins was in the South, six weeks ago.

The library contained some valuable first editions and other books, including volumes of the Kelmscott Press with the authors' signatures. Some time after Mr. Crimmins returned home he noticed the absence of some of these books. When he investigated he found that books to the value of \$2,000 were missing. He also discovered that autograph letters of Robert Burns, Sir Walter Scott and George Washington were gone.

Kearney, who has been in Mr. Crimmins's employ for twenty-five years, declared at first that he could not account for the loss of the property. He confessed later that he had sold the books and letters to certain booksellers, and gave their names to the Central Park police station. The books and letters were found by the police and returned to Mr. Crimmins.

JAPAN'S STAND FOR MANCHURIA.

Would Make Armed Resistance to Permanent Russian Control—Prince Konoe.

VICTORIA, B. C., March 12.—The steamer Tosa Maru, which arrived to-day from the Orient, brought copies of an interview with Prince Konoye, head of the National Union League of Japan, with reference to the Manchurian schemes. Prince Konoye is quoted by the Japan Advertiser of Feb. 23 as saying:

"Japan will never consent to a Russian Manchuria. On this point the Government is absolutely decided, nor should we hesitate to take recourse to armed resistance were Russia to continue in her recent sympathy with the United States and Great Britain in this matter, and know what we are doing Japan has no objection to Russia leasing Port Arthur. That would not menace Japan's late aims. We regard the construction of the trans-Manchurian railway with lively interest, as it will undoubtedly serve to open new fields for Japan's commercial undertakings. Japan will not object to Russian troops guarding the line in Manchuria, where the presence of troops is necessary, but Russia's great territorial army on Chinese soil must be withdrawn and that without further loss of time. Manchuria must be kept under Chinese control, not only because of its mineral and other wealth but also as being the birthplace of the present Chinese dynasty. Continued occupation of Manchuria by any foreign Power would mean the downfall of the present dynasty and subsequent revolution and anarchy in China. The State is positively necessary to the continuance and maintenance of the present Chinese Government."

CARGO OF MANILA HEMP AT SAN FRANCISCO.

SAN FRANCISCO, March 12.—The large British steamer Adato, Capt. McIntyre, reached port to-day from Manila with 500 bales of hemp.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.

NEW PUBLICATIONS.